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**FAX**

Date June 2, 2003

To Examiner A Capron

Of USPTO

Fax 703-746-8301 - 872 9303

From Alan J. Kasper

Subject 09/778,055

Our Ref Q62904 Your Ref

Pages  
(including cover sheet)

FAX RECEIVED  
JUN 02 2003  
GROUP 3700

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Dear Examiner Capron:

For the interview on Thursday, June 5<sup>th</sup> at 9am, the focus will be on the clear definition of steps and structures (storage means, output means, etc) that handle separate and distinct pieces of music. Original first and second pieces have a main part and at least a preamble and post-amble. The connection music is separate and distinct, and as stored, output or otherwise processed in various ways in the claims, cannot possibly be the same as any part of the main music. The claim clearly and unambiguously concerns separate music pieces.

Araki clearly does not have separate original and connection pieces. This is abundantly clear from Fig. 7 where under your interpretation, there are only first and second pieces, and their postamble and preamble overlap. There is no separate and distinct connecting piece.

There can be no anticipation. Sone does not remedy this deficiency. Thus, there can be no obviousness.

Regards, Alan Kasper

RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
GROUP 3714  
PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q62904

Yuichi ASAMI, et al.

Appln. No.: 09/778,055

Group Art Unit: 3714

Confirmation No.: 7352

Examiner: Aaron Capron

Filed: February 07, 2001

For: GAME MACHINE, GAME MUSIC OUTPUT METHOD, INFORMATION STORAGE  
MEDIUM, GAME PROGRAM DISTRIBUTION DEVICE, AND GAME PROGRAM  
DISTRIBUTION METHOD

**DRAFT RESPONSE UNDER 37 C.F.R. § 1.116**

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 5, 2003, please consider the remarks as submitted herewith.

**REMARKS**

Claims 1-35, all the claims pending in the application, stand rejected. Applicants have not amended the claims, as Applicants strongly believe that the claimed invention is patentable over the cited art for at least the following reasons.

As a preliminary matter, Applicants wish to express their appreciation for the courtesy extended to Applicants' representative during an interview on June 5, 2003, just prior to the filing of the present response to the Final Office Action. Applicants believe that a better mutual